

**IN THE UNITED STATES DISTRICT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

JOHN THOMSON,	:	
	:	
Plaintiff	:	
	:	
v.	:	CASE NO. 1:23-cv-00099-SEB-MG
	:	
ROCHE DIAGNOSTICS CORPORATION,	:	JUDGE SARA EVANS BARKER
	:	
	:	MAGISTRATE JUDGE MARIO
Defendant.	:	GARCIA

DEFENDANT’S FINAL EXHIBIT LIST

Pursuant to this Court’s Case Management Plan approved by this Court, Defendant Roche Diagnostics Corporation (“Defendant” or “Roche”), hereby submits its Final Exhibit List.

PRELIMINARY STATEMENT

These disclosures are made solely for the purpose of this lawsuit. Each disclosure is subject to all objections of competence, relevance, materiality, propriety, privilege, admissibility, and any and all other objections and grounds which would require the exclusion of any statement or evidence contained in these disclosures as if offered or made by a witness present and testifying in the hearing, all of which objections and grounds are reserved and may be interposed at the time of the hearing.

Discovery is not yet complete and Defendant has not yet completed its investigation of the facts relating to this case, and has not yet prepared for any summary judgment or for the hearing. Each of the following witness disclosures is rendered and based upon information in the possession of Defendant at the time of the preparation of these disclosures. Discovery will continue by operation of the Federal Rules of Civil Procedure, the March 22, 2023 Order, and any Order issued by this Court, and the investigation of Defendant’s attorneys and agents will continue to and

throughout the course of this lawsuit. Defendant specifically reserves the right at the time of the hearing to introduce the testimony of any witness whose identify may be discovered or any exhibit which may be discovered.

Except for explicit facts admitted, no incidental or implied admissions are intended. The fact that Defendant has attempted to make any disclosure would not be taken as an admission that Defendant accepts or admits the existence of any facts, except as otherwise set forth in the pleadings, or that such disclosure constitutes admissible evidence. Rather, Defendant is simply attempting to fulfill its obligations pursuant to March 22, 2023 Order.

If any information has been unintentionally or erroneously omitted from these initial witness disclosures, Defendant reserves the right to insert the omitted information without prejudice. This Preliminary Statement is incorporated by this reference into each of the responses set forth below.

FINAL EXHIBIT LIST

1. Roche's Incentive Compensation Plan for years 2018-2022;
2. RDC-107, Roche's Sales and Service Incentive Compensation Plan Policy;
3. Plaintiff's Personnel file;
4. Documents concerning Plaintiff's commissions and payments;
5. Documents concerning the commissions and payments to Plaintiff's co-workers;
6. Compensation Policies relevant to Plaintiff's claims produced in discovery;
7. Compensation plan payouts for comparator employees produced in discovery;
8. Plaintiff's correspondence produced in this lawsuit;
9. Roche's non-discrimination, non-retaliation, non-retaliation, and open door policies;

10. Roche's employee guidelines and employee handbook;
11. All deposition exhibits;
12. All pleadings in this Lawsuit;
13. Documents referenced, discussed, or mentioned during any deposition in this matter;
14. All documents related to Plaintiff's employment with Defendant;
15. Any documents identified by Plaintiff in either his Rule 26(a)(1) disclosures or in response to discovery.
16. All documents related to Plaintiff's performance;
17. Documents related to Plaintiff's alleged damages;
18. All statements, affidavits, or other documents obtained by Plaintiff or Defendant from non-parties;
19. All exhibits relied upon or used at any deposition taken in this action;
20. All documents identified by Plaintiff and Defendant in their respective initial disclosures;
21. All deposition transcripts of depositions taken in this matter;
22. All documents identified by Plaintiff in his Preliminary Exhibit List;
23. All documents identified by Plaintiff in his Final Exhibit List;
24. All documents cited by either party in connection with the filing of Defendant's Motion for Summary Judgment;
25. Deposition transcripts and exhibits taken during discovery in this lawsuit;
26. All documents produced or uncovered through discovery;
27. All documents used for demonstrative or illustrative purposes by an expert witness.

28. All documents necessary for purposes of impeachment or rebuttal;
29. All documents disclosed by Plaintiff.

Defendant reserves its right to supplement its final exhibit list as discovery progresses or upon the discovery of additional information which would necessitate the disclosure of an additional exhibit(s).

Respectfully submitted,

/s/ David A. Campbell

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*Attorneys for Defendant Roche Diagnostics
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CERTIFICATE OF SERVICE

I hereby certify that on March 18, 2024, a copy of the foregoing pleading was filed using the Court's CM/ECF system, which will automatically send e-mail notification of such filing to all attorneys of record.

/s/ David A. Campbell

David A. Campbell